



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,653	12/12/2001	Robert J. Koziy	100.407US02	9785
7590 Fogg & Associates, LLC P.O. Box 581339 Minneapolis, MN 55458-1339			EXAMINER HYUN, SOON D	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 05/05/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/017,653

## Applicant(s)

KOZIY ET AL.

## Examiner

SOON-DONG D. HYUN

## Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 14-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Withdrawal of Finality of Last Office Action***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 14-45 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 14- are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (U.S. Patent No. 5,821,510) in view of Kanno (U.S. Patent No. 5,929,425).

Regarding claims 14 and 33, Cohen et al (Cohen) discloses a cross-connect system and method of acquiring connection information for termination elements, comprising:

a plurality of termination elements (receptacles 6 in FIG. 4) through which cross-connections can be made;

a first communication medium (a jumper 8 in FIG. 4) communicatively coupling cross-connected termination elements of the plurality of termination elements, the first communication medium communicating user information signals (traffic, col. 3, line 21-22, col. 5, lines 64-65) between cross-connected termination elements of the plurality of termination elements;

a second communication medium (a wireless medium connecting a hand-held optical scanner and a receiver interface 16 in FIG. 1A, col. 6, lines 15-23) separate from the first communication medium such that the user information signals are communicated only over the first communication medium, the second communication medium communicating connection information signals (optically encoded data 9-13, col. 5, lines 7-65); and

However, Cohen does not explicitly teach that the hand-held wireless optical scanner comprises a processor in the coupled to the first and second communication mediums as recited in claims.

Kanno teaches a communication controller (a processor) for a wireless bar code reader (10 in FIG. 1 and FIG. 7, a hand-held wireless optical scanner), wherein the

communication controller is processing bar code information and transmitting the information via a wireless communication medium (col. 3, lines 21-44).

Those of skill in the art would have been motivated by Kanno to incorporate a communication controller of Kanno into the hand-held optical scanner of Cohen coupled to the first and second communication medium for controlling (processing and transmitting) optically encoded data (the connection information signals) via the second communication medium and acquisition (collecting) of connection information with regard to the cross-connected termination elements.

Therefore, it would have been obvious to one having ordinary skill in the art to incorporate a processor into Cohen.

Regarding claims 15 and 34, Cohen further discloses that the first communication medium comprises an optical communication medium (col. 4, lines 40-41).

Regarding claims 16 and 35, Cohen further discloses that the second communication medium comprises an electrical communication medium (col. 6, lines 15-23).

Regarding claims 17 and 36, Cohen further discloses a patch cord (a connector 7 in FIG. 2), the patch cord comprising a first communication pathway (the jumper 8) and a second communication pathway (the medium for transmitting optically encoded data 13), the first communication pathway providing communication of user information signals (the traffic) between a first termination element (a first receptacle) and a second termination element (a second receptacle), and the second communication pathway

providing communication of connection information signals (optically encoded data 13, col. 5, lines. 45-65) to and from the first and second termination elements.

Regarding claims 18, 19, 37 and 38, refer to the discussion for claims 14-16.

Regarding claims 20, 26, 39, and 40, Cohen + Kanno further discloses a memory (18 in FIG.1A of Cohen), the memory is coupled to the processor for storing the connection information as a database of the connection information (col. 6, lines 41-43).

Regarding claims 21, 25, 27, 28, 41, and 42, Cohen + Kanno further discloses that the processor is coupled to the memory and a user interface (a computer 15 in FIG. 1A of Cohen), the user interface cooperating with the processor and memory to display (a display unit 20 in FIG. 1A) connection information (col. 6, lines 43-46).

Regarding claims 22, 29-32, and 43-45, refer to the discussion for claim 14, but Cohen differs from the present application in that Cohen teaches an optically encoded bar code on a sticker, while the present application discloses a light emitting annunciator for each receptacle.

It is the Official Notice that using a light emitting annunciator with a scanner for testing or monitoring known in the art. Therefore, it would have been obvious to one having an ordinary skill in the art to incorporate an annunciator into each receptacle of Cohen to monitor connection status of the cross-connected receptacles.

Regarding claims 23 and 24, Cohen further discloses that the processor is communicatively coupled to the user interface, the user interface situated geographically remote from the processor and the plurality of termination elements.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SOON-DONG D. HYUN whose telephone number is (571)272-3121. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chi H Pham/  
Supervisory Patent Examiner, Art  
Unit 2616  
5/1/08

/Soon D Hyun/  
Examiner, Art Unit 2616